



RECORDS RETENTION AND DISPOSITION SCHEDULE

SPECIFIC SCHEDULE NO. 165-001

DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT

LOCAL GOVERNMENT, COMMISSION ON

The schedule on the attached page(s) is approved with agreement to follow the records retention and disposition policies listed below:

AGENCY APPROVAL

AGENCY HEAD OR DEPUTY

AGENCY RECORDS OFFICER

STATE APPROVAL

STATE RECORDS ADMINISTRATOR

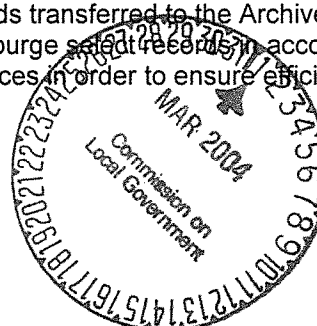
COMPTROLLER OR DEPUTY

EFFECTIVE SCHEDULE DATE

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POLICIES FOR RECORDS RETENTION AND DISPOSITION

1. This schedule is continuing authority under the provisions of the Virginia Public Records Act, §§ 42.1-76, et. seq. of the *Code of Virginia* for the retention and disposition of the records as stated on the attached page(s).
2. This schedule supersedes previously approved applicable schedules.
3. This schedule is used in conjunction with the *Certificate of Records Disposal* (Form RM-3). A signed RM-3 must be approved by the designated records officer and on file in the agency or locality before records can be destroyed. After the records are destroyed, the original signed RM-3 must be sent to Library of Virginia (LVA).
4. Any records created before the Constitution of 1902 came into effect (January 1, 1904) must be offered, in writing, to the LVA before applying these disposition instructions. Offered records can be destroyed 60 days after date of the offer if no response is received from the LVA. A copy of the offer must be attached to the RM-3 form when it is submitted to the LVA.
5. All known audits and audit discrepancies regarding the listed records must be settled before the records can be destroyed.
6. All known investigations or court cases involving the listed records must be resolved before the records can be destroyed. Knowledge of subpoenas, investigations or litigation that reasonably may involve the listed records suspends any disposal or reformatting processes until all issues are resolved.
7. The retentions and dispositions listed on the attached page(s) apply regardless of physical format, i.e., paper, microfilm, electronic storage, optical imaging, etc. Unless prohibited by law, records may be reformatted at agency or locality discretion. Microfilming must be done in accordance with §§ 17VAC15-20-10, et. seq. of the *Virginia Administrative Code*, "Standards for the Microfilming of Public Records for Archival Retention."
8. Custodians of records must insure that information in confidential or privacy protected records is protected from unauthorized disclosure through the ultimate destruction of the information. Normally, destruction of confidential or privacy-protected records will be done by shredding or pulping. "Deletion" of confidential or privacy-protected information in computer files or other electronic storage media is not acceptable. Electronic records must be "wiped" clean or the storage media physically destroyed.
9. Under the *Virginia Public Records Act*, (§ 42.1-79) the Library of Virginia is the official custodian and trustee of all state agency records transferred to the Archives, Library of Virginia. The Library may purge selected records in accordance with professional archival practices in order to ensure efficient access.



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RECORDS SERIES AND DESCRIPTION

SERIES NUMBER

SCHEDULED RETENTION AND DISPOSITION

This schedule was originally under 968-001. Commission was merged into 165, Department of Housing and Community Development

Annexation Case Files

009000

Retain for six months after the case is closed and then transfer to the Archives, Library of Virginia for permanent retention. A list of records appraised as non-archival by the State Archivist will be submitted to the Department for approval for removal and destruction.

This series documents the Commission's investigation of proposed municipal annexation, county immunity from city annexation, transition of city to town status, sharing agreement, as well as certain other agreements between localities that settle interlocal issues per statutory prescribed criteria as defined in *Code of Virginia* § 15.2 – 29. Final reports submitted to affected local governments and to any court considering the issue. Case file includes exhibit materials submitted by the parties involved in the proceedings, local government operation documents, tapes and transcripts of Commission and public hearings, maps, photographs, census data, incoming correspondence from officials and the public concerning the proceedings, bibliography of exhibits and related material, and final report.

Library Files

009001

Retain permanently. When a file is determined to have no current administrative use in the agency, transfer to the Archives, Library of Virginia for permanent retention.

This series is a compilation of copies of court opinions, decisions, agreements, and orders as well as additional documents from Virginia local governments involved in annexation, consolidation, immunity, organizational status, and boundary proceedings.